

Handling Suspected Cases of Unacceptable Use of Information and Communication Technologies Procedures

INTRODUCTION

The University provides its staff members, students and authorised visitors (collectively known as 'Users') with access to information and communication technologies to enhance their ability to perform their work and study and to support learning, teaching, research, administrative and service functions. In particular, access to information and communication technologies and devices, is provided to enable networking and access to worldwide information resources. With this access come obligations, limitations, responsibility and accountability.

All Users should be aware of the University's Information and Communication Technologies Acceptable Use Policy, Email Acceptable Use Policy, individual responsibilities and legal obligations. All Users are required to comply with these policies and related procedures and are bound by law to observe applicable legislation.

Like all University assets and services, the information and communication technologies in all their various forms, should be used in an efficient, lawful and ethical manner.

This document is designed to complement the Information and Communication Technologies Acceptable Use Policy and the Identifying Unacceptable Use of Information and Communication Technologies Procedures, by defining the procedures to be followed if a User is suspected of, and/or is found to have used the University's ICT in an unacceptable manner.

COMPLIANCE

This is a compliance requirement under the University's [Code of Conduct](#).

INTENT

To explain the procedures for dealing with situations where information and communication technologies provided by the University, have been used or are suspected to have been used, in an unacceptable manner.

To ensure that there are clear procedures for investigating unacceptable use of University ICT and the disciplinary procedures that will ensue, should it be found that the University's ICT have been used in an unacceptable manner.

RELEVANT DEFINITIONS

In the context of this document

Adjunct or honorary staff members means staff members who are associated with the University by appointment under the Honorary Appointment Procedures and through the Nominations, Honorary Awards and Legislation Committee;

Authorised Officer means the person within the University authorised to determine the severity of infringements of the Information and Communication Technologies Acceptable Use Policy and institute disciplinary action in accordance with relevant misconduct procedures.

- For Students, this will be the relevant Senior Manager ;
- For Staff members, this will be the relevant Line Manager;
- For Line Managers and Senior Managers this will be the relevant Senior Executive;
- For Senior Executives this will be the Vice-Chancellor;
- For the Vice-Chancellor this will be the University Council; and
- For Authorised Visitors this will be the relevant Senior Executive or Vice-Chancellor.

Authorised visitor means bona fide visitors that the University may, from time to time, provide with access to facilities to enhance their ability to complete tasks for the University or to liaise with the University. Such visitors may include, but are not limited to alumni, external auditors or consultants, potential clients or business partners, contractors or vendors, volunteers, conference delegates, and students and staff of other universities with reciprocal arrangements;

Email means a message, including any attachments, sent in an electronic format from one user to one or more other users via a computer network, using an email protocol;

Information and Communication Technologies (ICT) means collectively, computers, printers, facsimiles, telephones (both mobile and landlines), scanners, photocopiers, email, internet, intranet, web services, blogs, twitters, wikis, social networking sites such as, Facebook pages, electronic portable devices and any other similar resources;

Infringement means to commit a breach or infraction;

Internet means the University intranet or network;

ITMS means the Office of Information Technology Management and Support within the University;

Senior Executive means a staff member of the University holding the position of Vice-Chancellor, Provost, Deputy Vice-Chancellor, Pro Vice-Chancellor or Chief Financial Officer or equivalent;

Senior Manager means a staff member of the University holding the position of Director or Head of School or equivalent;

Staff member means anyone employed by the University and includes all continuing, fixed-term, casual, adjunct or honorary staff or those holding University offices or who are a member of a University committee;

Unacceptable use is identified as but not limited to:

- Contravention of the University's Code of Conduct or Charles Darwin University (Student Misconduct) By-laws;
- System Abuse or Misuse;
- Copyright Infringement;

- Intentionally viewing, downloading, copying or storing pornography;
- Equipment Abuse or Misuse; and/or
- Security Breaches.

Manager means the person who is immediately responsible for the day to day supervision of a staff member and has the title of either supervisor or manager; and

User means any staff member, student or authorised visitor to the University.

PROCEDURES

Detection

Specified staff members within ITMS (or external parties as deemed necessary), perform regular monitoring of the University's information and communication technologies and report any suspected unacceptable use of information and communication technologies to the Director, ITMS who will inform the relevant authorised officer.

All Users are encouraged to report suspected breaches of the Information and Communication Technologies Acceptable Use Policy to his or her supervisor, lecturer, manager, an appropriate Senior Executive or directly to ITMS.

Any reports made of suspected unacceptable use of the ICT (including those made through the official complaints management system) will be forwarded to the Director, ITMS. The Director, ITMS in consultation with the relevant authorised officer, will determine whether an investigation is warranted. For information on what constitutes unacceptable use of ICT, refer to the University's [Identifying Unacceptable Use of Information and Communication Technologies Procedures](#).

Infringement

Where a User's actions pose an immediate threat to the security of the University through its ICT systems and/or hardware, the Director, ITMS will:

- Take immediate action to mitigate the potential risk to the University;
- Present evidence and/or commission an investigation into the matter with due consideration of the facts; and
- Make a recommendation as to the severity of the infringement, in consultation with the relevant authorised officer,

Suspected infringement

In the course of regular monitoring of the ICT, if unacceptable use is suspected, or after receiving a report of, or request for investigation into suspected unacceptable use of the ICT, the Director, ITMS will:

- Direct specific staff member (or request an external party), to monitor the User and their accounts;
- Interrogate computer systems and previous usage history; and
- Produce evidence in the form of a report to be forwarded to the relevant University authorised officer for action.

Deliberation

In deliberation the Director, ITMS will discuss the report and consult with the relevant University authorised officer to make a recommendation as to the severity of the infringement will be made.

Due consideration of the facts will take place and disciplinary action will be determined in accordance with the Charles Darwin University Student Misconduct By-Laws, relevant University misconduct policies and procedures and/or the current [Charles Darwin University and Union Enterprise Agreement](#).

Disciplinary action outcomes

Failure to abide by the terms outlined in the [Information and Communication Technologies Acceptable Use Policy](#) may lead to disciplinary action, and if severe enough may be referred to the relevant law enforcement authorities.

The severity of the disciplinary action will be determined after due consideration of the facts and may include but is not limited to the following:

- An appropriate warning may be issued by the authorised officer;
- Automatic denial of access to one or all facilities;
- A prolonged denial of access to one or all facilities;
- Referral to the appropriate disciplinary procedures for misconduct in the [Charles Darwin University \(Student Conduct\) By-laws](#) or current [Charles Darwin University and Union Enterprise Agreement](#); and/or
- Referral to relevant law enforcement authorities (where the misconduct constitutes a legal offence).

ESSENTIAL SUPPORTING INFORMATION

Internal

[Charles Darwin University and Union Enterprise Agreement](#)

[Charles Darwin University \(Student Conduct\) By-laws](#)

[Code of Conduct](#)

[Email Acceptable Use Policy](#)

[Email General Use Procedures](#)

[Identifying Unacceptable Use of Information and Communication Technologies Procedures](#)

[Information and Communication Technologies Acceptable Use Policy](#)

[Information and Communication Technologies Password Policy](#)

[Information and Communication Technologies Security Policy](#)

[Privacy and Confidentiality Policy](#)

External

Document History and Version Control

Last amendment:	Dec 2017	Next Review:	Sept 2015
Sponsor:	Pro Vice-Chancellor, Operations		
Contact Officer:	Director ITMS		

Version	Date Approved	Approved by	Brief Description
1.00	Date	Vice-Chancellor	Creation of original document and upload to CDU website.
1.01	08 Jul 2013	Governance	<ul style="list-style-type: none"> • Assigned document number • Converted document to current template • Minor changes to wording, grammar and formatting • Updated and added hyperlinks
2.00	18 Sep 2013	Vice-Chancellor	Review document with the following updates and amendments <ul style="list-style-type: none"> • Update definition of Senior Executive to reflect change in organisational restructure • Replace definition of a Student to reflect consistently used definition
2.01	15 Dec 2017	Governance	<ul style="list-style-type: none"> • Conversion to new template due to new University branding • Removal of flowchart as not consistent with template • Updated hyperlinks • Updated definitions